

# EXHIBIT I



4316 Rice Lake Road  
MN015-2824  
Duluth, MN 55811

May 23, 2014

State of New York  
Department of Financial Services  
Susan Hesler  
25 Beaver Street  
New York, NY 10004

Re: State File Number: CSB-2014-1039401  
Complainant Name: BDRN  
NAIC Number: 78026

Dear Ms. Hesler:

I am writing in response to the above-referenced complaint dated March 25, 2014, received in our office on the same date. Thank you for bringing this issue to our attention and for the additional time to respond.

Joseph Murphy, an attorney for BDRN, LLC ("BDRN"), filed a complaint stating that UnitedHealthcare (UHC) denied BDRN's request to participate in our specialty pharmacy network. Mr. Murphy contends that the denial violates New York's Anti Mandatory Mail Order (AMMO) law.

Currently, BDRN is a network retail pharmacy with UnitedHealthcare. Our records indicate that BDRN applied to become a network specialty pharmacy in 2012 in order to provide services to ~~UnitedHealthcare members; however, they did not meet the requirements.~~

BDRN contacted us on March 18, 2014, to apply to become a network specialty pharmacy. Subsequently, a questionnaire was sent to BDRN on March 19, 2014, with a due date of May 19, 2014. Mr. Murphy responded by email that BDRN was unable to complete the questionnaire. Upon reviewing Mr. Murphy's email, UnitedHealthcare learned that the wrong questionnaire was sent to BDRN. UnitedHealthcare has since sent the correct questionnaire. As of the date of this letter, we are still awaiting BDRN's completed questionnaire.

UnitedHealthcare's policy in New York is to allow any specialty pharmacy provider into the specialty pharmacy provider network that meets the participation requirements and criteria for specialty pharmacies, including accreditation by URAC<sup>1</sup> in Specialty Pharmacy.

As UnitedHealthcare's pharmacy benefits manager and network administrator, attached are the following OptumRx documents: OptumRx Specialty Pharmacy Network Participation Requirements, Specialty Pharmacy Network Application Questionnaire, and Procedure for OptumRx Specialty Pharmacy Network Participation.

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<sup>1</sup> URAC is an independent, nonprofit organization offering accreditation, education, and measurement programs. See [www.urac.org/about-urac](http://www.urac.org/about-urac).

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It is our goal to thoroughly review complaints and provide you with a complete response. If you have any questions, please call me directly at 218-279-5640, or at 800-842-2656, Monday through Friday from 8:00 a.m. to 4:30 p.m. Central time.

Sincerely,



Amy R. Pananen  
Regulatory Consumer Advocate

Enclosures

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